

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 26 1979  
 Returned to applicant for correction JUN 29 1979  
 Corrected application filed \_\_\_\_\_  
 Map filed AUG 7 1979

The applicant Emerson H. Potter c/o Boyack Surveying, Inc.  
515 South Fifth Street, of Elko,  
Street and No. or P.O. Box No. City or Town  
Nevada 89801, hereby make application for permission to appropriate the public  
State and Zip Code No.  
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well No. 2  
Name of stream, lake or other source.
2. The amount of water applied for is 8 cfs second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for Irrigation and Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated) 320 acres
  - (b) Stockwater (state number and kinds of animals to be watered) \_\_\_\_\_
  - (c) Other use (describe fully under "No. 12. Remarks") \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_
5. The water is to be diverted from its source at the following point: NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 31, T32N - R45E, MDB&M, at a point from which the SW corner of said section 31  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
bears S 44°24'27" W, 1939.48 feet.
6. Place of use W $\frac{1}{2}$  Section 31, T32N - R45E, MDB&M.  
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.  
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, ditches, pipelines and sprinkler system.  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$30,000.....
10. Estimated time required to construct works.....3 years.....
11. Estimated time required to complete the application to beneficial use.....5 years.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The waters of this application are to be co-mingled with the waters of Well No. 1 of the accompanying application. This application is for a desert land entry.

Applicant Emerson H. Potter

PRO. 9/14/79 by Residents of Mtn. View Estates

PRO. 9/18/79 by Lander County Commission

PRO. 10/22/79 by Sharon and Lyle Malone

Compared 1p / ss

By s/ Alan S. Boyack

Alan S. Boyack

515 South Fifth Street

Elko, Nevada 89801

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby <sup>deny</sup> ~~grant~~ the same, subject to the following limitations and conditions:

Application is herewith denied on the grounds that the granting would tend to impair the value of existing rights and be otherwise detrimental to the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

Recorded.....Bk.....Page.....

County Recorder

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 8th day of APRIL,

A.D. 19 80

*William J. Newman*  
State Engineer